

ENTERED

December 06, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISIONTABARI STRONG, *et al.*,

Plaintiffs,

VS.

BOBBY LUMPKIN, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:21-CV-171

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Jason Libby's Memorandum and Recommendation (M&R). (D.E. 18). The M&R recommends that the Court dismiss Plaintiff Bihl's case and close the case as to the remaining two Plaintiffs, Strong and Williams. (D.E. 18).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its

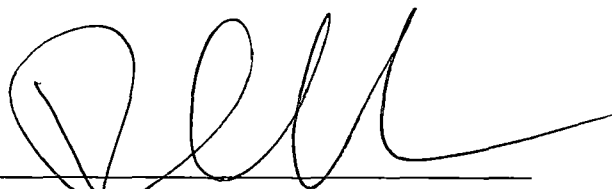
entirety. (D.E. 18).

Accordingly, the Court **ORDERS** the following:

- (1) Plaintiff Bihl's claims against Defendants are **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b).
- (2) This case is closed as to Plaintiffs Strong and Williams, as those two plaintiffs have now filed separate complaints that will be assigned new case numbers.

A final judgment will be entered separately to close this case.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Morales', is written over a horizontal line.

DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
December 4th, 2021